

4. This action is also removed on the basis of diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). Complete diversity of citizenship exists between the parties to this action as Plaintiff is a citizen and resident of Tennessee and Defendant is a foreign corporation (Delaware)

with its principal place of business in New York, New York. (**Exhibit A**, Complaint ¶ 2.) Additionally, based upon Plaintiff's assertion, the amount in controversy exceeded the sum or value of \$75,000.00. (**Exhibit A**, Complaint, p. 7)

5. This action is one that may be removed to this Court pursuant to 28 U.S.C. § 1441(a) and (b) because the matter in controversy is one in which the district courts have original jurisdiction and based on the diversity of citizenship between the parties.

6. This notice of removal is timely filed within thirty (30) days of serves of process on Defendant, thus, is timely under 28 U.S.C. § 1446(b) and (c).

7. Pursuant to 28 U.S.C. § 1446(d), copies of this Notice of Removal are being served on Plaintiff's counsel and upon the Chancery Court Clerk and Master for Davidson County, Tennessee. Copies of such notice are attached hereto as **Exhibit B**.

8. Pursuant to 28 U.S.C. 1446(a), copies of process, pleadings and orders served in this action are attached hereto as **Exhibit C**.

9. The venue of this removal action is proper pursuant to 28 U.S.C. §1441(a) in the United States District Court for the Middle District of Tennessee, which embraces Davidson County, Tennessee, the place where the state court action was pending.

By filing this Notice of Removal, Defendant does not admit to any of the allegations made in Plaintiff's state-court Complaint, nor does Defendant waive, either expressly or impliedly, its rights to assert any defenses that it could have asserted in the Chancery Court for Davidson County, Tennessee. Defendant reserves the right to amend or supplement this Notice of Removal.

WHEREFORE, Defendant request that this civil action be removed in its entirety from the Chancery Court of Davidson County, Tennessee, to the United States District Court for the

Middle District of Tennessee; that this Court assume full jurisdiction of this cause; and that this Court take all further action deemed just and proper.

Respectfully submitted,

/s Jennifer M. Lankford

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent via United States Mail, with sufficient postage affixed thereto this 3rd day of April, 2017, to ensure first class delivery, properly addressed as follows:

Mathew R. Zenner, Esq.
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Brentwood, Tennessee 372027

/s Jennifer M. Lankford

Jennifer M. Lankford